

**REMARKS**

In the Office Action, claim 16 was rejected under 35 U.S.C. §112, second paragraph, as being indefinite. In addition, claims 16-30 were rejected under 35 U.S.C. §103(a) as being unpatentable over Banks et al., U.S. Patent No. 5,180,121 ("Banks").

In this response, claim 16 has been amended. The amendment does not raise new issues. Claims 16-30 are currently pending in this application.

Reconsideration of the application in view of the following remarks is respectfully requested.

**Rejection to Claim 1 under 35 U.S.C. §112**

Claim 1 was rejected for the first time under 35 U.S.C. §112, second paragraph, as being indefinite. Applicants have amended claim 1 to remove the phrase "especially for an airplane". The amendment does not change the scope of claim 1 and does not raise any new issues.

Withdrawal of the first-time rejection under 35 U.S.C. §112, second paragraph, is respectfully requested.

**Rejections to Claims 16-30 under 35 U.S.C. §103(a):**

Claims 16-30 were rejected under 35 U.S.C. §103(a) as being unpatentable over Banks.

Banks describes an aircraft door actuator for rapidly moving an aircraft door away from the fuselage opening to which the door is attached and more particularly to an aircraft door actuator that includes a piston assembly that functions as the hinge pin of the door assembly with which it is used (column 2, lines 14 to 21). When the actuator is triggered, the piston rod (42) urges the cam follower (46) against the cam (50) so as to cause the cam follower to rotate. The cam follower (46) in turn rotates the sleeve (44) so as to simultaneously rotate the hinge arm lug (54). The hinge is thereby pivoted away from the hinge clevis so as to urge the aircraft door open. See Abstract and column 2, lines 44 to 54.

Claim 16 recites a support arm having a door side pivoting axis defined by two articulating joints disposed at a distance from each other in a vertical direction, wherein at least one of the articulated joints includes two bearings disposed at a distance from each other in the vertical direction, one of the two bearings including a pivoting drive mounting. Claim 16 also recites a pivoting drive attached to the pivoting drive mounting and configured to pivot the door.

Applicants respectfully submit that Banks does not teach or suggest at least the feature of a support arm, wherein one of the two bearings includes a pivoting drive mounting and a pivoting drive attached to the pivoting drive mounting that is configured to pivot the door. As shown in Applicants specification, for example, at Figs. 1-3 bearing L1b includes pivoting drive mounting 34. See also, for example, paragraph [0033]. The Office asserts that the Banks bearings 138 of bearing assemblies 76 correspond to the bearings of claim 16 and that the hinge arm lug 54 corresponds to the pivoting drive mounting of claim 16. See Banks, Fig. 3. Applicants respectfully submit that the Banks bearings 138 would not be understood by a person of ordinary skill in the art as "including" hinge arm lug 54. On the contrary, hinge arm lug 54 is a separate part and is interlocked with the outer surface 45 of sleeve 44 so that when the sleeve 44 rotates, the hinge arm lug 54 rotates together with the sleeve 44 relative to the bearings 138. Column 6, lines 48-59. The bearings 138 provide a low-friction interconnection between the inner and outer races 128 and 132 so that the splined shaft 44 can freely rotate relative to the cams 50 and 52 and the hinge clevis 26. Column 6, lines 31-47. Therefore, the Banks hinge arm lug 54 forms no part of either of the bearings. Nor does Banks otherwise suggest any bearings that include a pivoting drive mounting attached to a pivoting drive as recited in claim 16. Furthermore, as admitted by the Examiner, Banks fails to teach that the first pivoting axis defined by the articulated joints is the door side pivoting axis.

Applicants respectfully submit that it would not have been obvious to modify the hinge of Banks to replace one of the bearings to include a pivoting drive mounting attached to a pivoting drive configured to pivot a door as recited in claim 16.

Withdrawal of the rejections to claims 16-30 under 35 U.S.C. §103 is respectfully requested.

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**CONCLUSION**

In view of the above amendment, applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

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